

### REMARKS/ARGUMENTS

#### **1. Request for Continued Examination:**

A Request for Continued Examination (RCE) is respectfully submitted as per 37  
5 C.F.R. 1.114 as a full and timely response to the Office Action of January 25, 2007.  
Claim 1 has been slightly amended replacing the term "out of order" with "in an error  
state" and is supported by paragraph [0031]. Claim 2 has been slightly amended  
purely for grammatical reasons. Claims 9-16 have been cancelled without disclaimer  
of any kind regarding their respective merits. No new material has been introduced.  
10 Reconsideration of claims 1-4 and 6-8 is respectfully requested.

#### **2. Background**

Claims 1-4, 6-8, and 10-16 are rejected under 35 U.S.C. 112, second paragraph.  
The term "out of order" in claims 1-4, 6-8, and 10-16 is a relative term which renders  
15 the claim indefinite. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being  
anticipated by Schieve et al. (U.S. 5,463,766). Claims 7, 10-12 are rejected under 35  
U.S.C. 103(a) as being unpatentable over Schieve. Claim 6 is rejected under 35 U.S.C.  
103(a) as being unpatentable over Schieve in view of Robinson (U.S. 5,768,591).  
Claims 13, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over  
20 Schieve in view of Treu (U.S. 5,245,615). Claim 15 is rejected under 35 U.S.C. 103(a)  
as being unpatentable over Schieve in view of Treu and further in view of Robinson.

#### **3. Claim rejections 35 U.S.C. 112**

Claim 1 has been amended replacing the term "out of order" with "in an error  
25 state" and is supported by paragraph [0031]. For the purpose of examination, the  
Examiner has treated "out of order" as "a general error status" in this Office action.  
Because of the claim language immediately preceding the former term "out of order"  
being "when the peripheral device is", the term "in an error state" was used instead of  
exactly the Examiner's interpretation of "a general error status" and suggest that if a  
30 device exhibits "a general error status" that the device is naturally in an error state and  
the terms are virtually interchangeable.

At least because in this Office action (page 3) the Examiner has stated that claims have already been examined using the interpretation of "a general error status", the applicant asserts that this amendment to claim 1 does not raise any new issues requiring a further search or consideration by the Examiner. Therefore reconsideration of claims 1-4 and 6-8 under 35 U.S.C. 112 is respectfully requested.

#### 4. Claim rejections 35 U.S.C. 102/103

The Schieve reference discloses a method of loading and executing diagnostic routines from a disk without the need of an operating system. The diagnostic routines are individually read from the disk, loaded into video memory, and executed. Col.9, lines 18-32 describe the process and state that the "the results (error/status and other information) are displayed to the user to allow the user to make informed decisions regarding the peripheral under test".

Therefore, it appears that a major difference between the present invention and the reference is that the reference tests a peripheral device, while the present invention does not test a peripheral device, but rather is a debugging tool for debugging program codes.

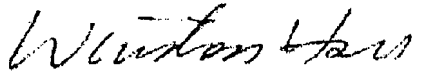
Although the applicant disagrees, it may be possible to envision a situation where Schieve could be construed as performing step "a" through part of step "c" in claim 1. However, at least step "d", that of resetting a parameter and executing the test again making it undergo the error processing path, is not suggested or taught. It is true that Schieve does display an error when a peripheral device is in an error state, but there does not seem to be any teaching of resetting a parameter that causes the program to believe that the peripheral device is in an error state and thereby causing the error path to be taken. If it happens, it happens only because the device is faulty and has nothing to do with an inputted parameter.

On the other hand, the present application debugs program codes by executing the portion of the program code that executes when a designated peripheral device is in proper working order, and then resetting a parameter that causes execution of the portion of program codes that executes when the designated peripheral device is in an error state. Because several error states are possible, different parameters can be utilized to simulate the different error states, and allow all portions of the program code to be tested.

Claim 1 contains the limitation of resetting the parameter and "executing the event according to the reset parameter for making the event undergo the error processing path", which is not taught or suggested by known prior art. Therefore, for at least this reason, the applicant believes that the current application is in condition  
5 for allowance as required and respectfully requests reconsideration of claims 1-5 and 6-8.

Sincerely yours,

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Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)